

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

(916) 322-9377



November 18, 1983

ALL-COUNTY LETTER NO. 83-120

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: RECORDS RETENTION

REFERENCE:

Recently several counties expressed an interest in obtaining current records retention requirements. This letter is intended to provide you with the legal requirements for records retention and to identify those exceptions which will necessitate extended retention periods for certain records.

A. Public Assistance Records

The Manual of Policies and Procedures (MPP) sets forth various retention periods for Public Assistance Records. Generally, the regulations require that all public assistance (23-353), social service (10-119.2), and administrative claiming (25-815.38) records and their supporting documents be retained for three years from the date the state submits the last expenditure report to the Department of Health and Human Services (HHS). Case record material must be retained until three years have passed from the date the last state expenditure report was made to HHS for the period in which such records were last used to document eligibility. MPP Sections 23-353 through 23-356 set forth the requirements for certain records which have retention periods which vary from the general rule. While the regulations must be reviewed for a complete listing, the most common varying items are:

1. Records and their supporting documents for which there is an open federal or state audit must be retained. This includes those unresolved federal audits listed on Attachment I and the State Controller's Office audits on Attachment II. Counties are to inform contractors providing social services to retain all necessary records for audits which have not been resolved/closed.
2. Records involved in pending criminal or civil litigation or court orders may require extended retention periods. In addition to cases in which the county is involved, Attachment III is a listing of court cases involving the State Department of Social Services (SDSS) which necessitate extended retention of certain records.

3. County welfare warrants must be retained for five years. Warrant registers must be retained for 15 years.
4. The county shall retain form ABCD or its equivalent for a period of ten years following closure in all cases where notification to do so by the child support agency has been received.


B. Food Stamp Records

Generally, all food stamp program records (MPP 63-201.6) must be maintained in an orderly fashion for audit and review purposes for three years from the month of origin of each record. The month of origin is defined by the Food and Nutrition Service (FNS) as the ending date of the pertinent certification period. Fiscal records and accountable documents must be retained for three years from the date of fiscal or administrative closure. Closure may occur no earlier than the date of SDSS' submission of the annual financial status report of the fiscal year to which the records apply. Fiscal closure means that obligations for or against the Federal Government have been liquidated. Administrative closure means that the county has determined and documented that no further action to liquidate the obligation is appropriate. Fiscal records and accountable documents include, but are not limited to, claims and documentation of lost benefits. Some records require retention periods of more than three years. These include:

1. If the food stamp records are a part of an assistance case record, they must be retained in accordance with MPP Chapter 23-350. (See Part A of this letter.)
2. All Food Coupon Accountability Reports (FNS-250), including documents supporting the validity of entries for the period July 1971 to date, must be retained because FNS billing liabilities have not been cleared by FNS Western Regional Office (FNS/WRO).
3. All Authorization to Participate (ATP) Reconciliation Reports (FNS-46) and Food Stamp Program ATP reconciliation data for the period of January 1979 to date must be retained until ATP billing liabilities for this period are cleared by FNS/WRO.
4. Records and their supporting documents for which there is an open federal or state audit must be retained. This includes those unresolved audits listed on Attachments I and II.
5. Records involved in pending criminal or civil litigation or court orders may require extended retention periods. In addition to cases in which the county is involved, Attachment III is a listing of court cases involving SDSS which necessitate extended retention of certain records.

The provisions of this letter are for the fiscal purposes of DSS and do not authorize the destruction of those records which have a longer retention period required by other laws/regulations, court cases, or unresolved audits.

Should you have any questions on this matter, please contact Records Management at (916) 445-6239.



JAMES H. GOMEZ
Deputy Director
Administration Division

Attachments

cc: CWDA

This letter supersedes All-County Letter 79-31.

FEDERAL AND OUTSIDE AUDITS

Programs Administered by
Department of Health and Human Services

Status as of: 11/4/83
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I.D. Number	DESCRIPTION	Audit/Review Period (1)	Audit Agency	State/County Agencies Affected	Exception Amount (2)	Records Required To Be Retained
20272	WIN	10/1/78-3/31/81	HHS	Alameda Contra Costa Los Angeles Sacramento San Bernardino San Francisco	\$ 581,382	Case rec- ords, pay- ment records and audit related materials
30606-09 (Follow-up of 00255)	Uncashed Warrants	1/1/77-12/31/79	HHS	San Francisco Santa Clara	N/A	<u>A/</u>
60265	Cuban Refugee Assistance Costs	7/70 - 6/74	HEW (HHS)	Los Angeles	\$1,850,588	<u>A/</u>
70282	BHI - Eligibility	7/73 - 3/76	HEW (HHS)	San Bernardino	\$ 68,274	<u>A/</u>
70264 (60264)	Foster Care	7/72 - 6/75	HEW (HHS)	San Diego	\$ 124,357	<u>A/</u>
80259	BHI - Eligibility	4/1/75-7/31/76	HEW (HHS)	Santa Barbara	\$ 77,911	<u>A/</u>
70281 (60281)	BHI - Eligibility	4/1/75-7/31/76	HEW (HHS)	Ventura	\$ 77,051	<u>A/</u>

(1) If a single date is listed, it will be the date of the audit report.

(2) Federal Share only unless otherwise noted.

A/ Case records, assistance claims, and audit-related materials.

FEDERAL AND OUTSIDE AUDITSFood Stamp Program
USDA/FNSStatus as of: 11/7/83
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I.D. Number	DESCRIPTION	Audit/Review Period (1)	Audit Agency	State/County Agencies Affected	Exception Amount (2)	Records Required To Be Retained
2716-26-SF	Food Stamp Audit Certification Errors	11/77 - 1/78	USDA/OA	Alameda	\$123,154.68	<u>B/</u>
2714-260-SF	Food Stamp Audit Cash and Coupons	11/72 - 3/74	USDA/OA	Los Angeles	\$ 93,451.00	<u>B/</u>
2744-104	Food Stamp Investigation	10/19/77	USDA/OIG	Madera	\$ 37,607.00	<u>B/</u>
2744-77-SF	Food Stamp Investigation SAOEC	5/10/75-5/12/75 (2 days)	USDA/OIG	Sacramento	\$ 16,673.00	<u>B/</u>
27642-1-HY	Food Stamp Audit Issuance and Redemption	2/81 - 1/82	USDA/OA	San Bernardino	\$ 412.00	<u>C/</u>
2714-53-SF	Food Stamp Audit Issuance Losses	7/70 - 4/71	USDA/OIG	San Francisco	\$ 3,761.00	<u>B/</u>
2714-358-SF	Food Stamp Audit Eligibility	4/75 - 6/75	USDA/OA	San Francisco	\$806,800.00	<u>C/</u>
2716-11-SF	Food Stamp Audit Overpayments	9/76 - 5/77	USDA/OA	San Francisco	\$587,000.00	All records identified by the Audit

(1) If a single date is listed, it will be the date of the audit report.

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B/ Retain Food Stamp Reports, FNS-250.C/ Retain Food Stamp fiscal records.

FEDERAL AND OUTSIDE AUDITSFood Stamp Program
USDA/FNSStatus as of: 11/7/83
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I.D. Number	DESCRIPTION	Audit/Review Period (1)	Audit Agency	State/County Agencies Affected	Exception Amount (2)	Records Required To Be Retained
2744-61-SF	Food Stamp Investi- gation	1/23/76	USDA/OA	San Francisco	\$ 5,344.00	<u>C/</u>
2747-8-SF	Food Stamp Investi- gation	8/30/76	USDA/OIG	San Francisco	\$ 1,264.50	<u>B/</u>
2749-19-SF	Food Stamp Investi- gation	12/24/74	USDA/OIG	San Francisco	\$ 1,923.00	<u>B/</u>
2799-13-SF	Food Stamp Audit of Issuance Operations of CAHEED	7/71 - 8/78	USDA/OIG	San Francisco	\$ 7,626.00	<u>B/</u>
2714-59-SF	Food Stamp Unrecon- ciled Records	8/17/81	USDA/OIG	Santa Clara	\$52,768.00	<u>B/</u>
2744-98-SF	Food Stamp Investi- gation	7/22/76	USDA/OA	Santa Clara	\$ 999.95	<u>C/</u>
2744-103- SF	Food Stamp Investi- gation	6/23/77	USDA/OIG	Santa Clara	\$ 1,394.00	<u>B/</u>
2714-363- SF	Food Stamp Audit Program Operations	2/75 - 7/75	USDA/OIG	Siskiyou	\$ 60.50	<u>B/</u>
2744-62-SF	Food Stamp Investi- gation	1/9/75	USDA/OA	Tulare	\$10,332.70	<u>C/</u>

(1) If a single date is listed, it will be the date of the audit report.

(2) Federal Share only unless otherwise noted.

B/ Retain Food Stamp Reports, FNS-250.C/ Retain all Food Stamp fiscal records.

STATE CONTROLLER'S OFFICE (SCO) AUDITS

The counties listed below have unresolved SCO audits. All records pertaining to these audit periods should be retained by the counties until final resolution has been made pertinent to all protested/appealed audit exceptions. The audits are listed in alphabetic order by county. For those counties having more than one unresolved audit, there will be an entry for each audit.

	<u>Audit Period</u>	<u>Date of Audit Report</u>	<u>Amount of Report</u>
Alameda	7/77 - 6/78	12/7/79	\$3,015,877
Alpine	7/76 - 6/80	2/26/82	13,778
Contra Costa	7/76 - 6/77	10/3/78	1,371,611
Contra Costa	7/77 - 6/79	11/7/80	1,929,101
Contra Costa	7/79 - 6/80	1/22/82	665,098
El Dorado	10/75 - 6/79	11/28/80	95,907
Fresno	7/78 - 6/80	3/12/82	5,737,978
Glenn	7/75 - 3/78	8/3/79	322,197
Glenn	4/78 - 6/81	4/22/83	35,076
Humboldt	4/75 - 9/78	12/28/79	102,593
Kern	7/79 - 6/82	8/5/83	1,697,961
Kings	7/79 - 6/82	6/10/83	35,987
Los Angeles	7/70 - 3/75	1/30/76	129,438
Los Angeles	7/76 - 6/77	2/8/80	4,453,426
Los Angeles Administrative	7/77 - 6/80	6/25/82	21,817,942
Los Angeles Adoptions	7/76 - 6/79	4/10/81	154,619
Los Angeles BHI	7/69 - 6/76	7/30/82	135,873
Los Angeles BHI	7/69 - 6/75	7/30/82	293,349
Madera	1/78 - 6/80	7/17/81	25,439
Mendocino	4/77 - 6/79	11/20/81	486,272

ATTACHMENT II (con't)

	<u>Audit Period</u>	<u>Date of Audit Report</u>	<u>Amount of Report</u>
Merced	4/78 - 6/81	6/18/82	\$ 188,468
Monterey	4/78 - 6/80	5/28/82	194,068
Nevada	10/76 - 6/80	4/9/82	129,191
Orange	7/79 - 6/81	2/18/83	1,555,045
Placer	7/75 - 6/79	10/17/80	101,843
Riverside	7/77 - 6/79	8/29/80	151,830
Riverside	7/79 - 6/80	10/16/81	109,341
Sacramento	7/79 - 6/81	6/10/83	275,785
San Benito	7/78 - 6/80	12/18/81	124,064
San Bernardino	7/79 - 6/80	5/28/82	354,720
San Diego	7/78 - 6/80	9/18/81	1,032,224
San Francisco	1/77 - 6/79	1/30/81	9,745,728
San Francisco	7/79 - 6/81	2/25/83	5,656,263
San Joaquin	10/78 - 6/81	3/25/83	654,877
Santa Clara	4/79 - 6/81	7/23/82	2,634,213
Shasta	10/77 - 6/80	11/20/81	318,863
Sierra	10/75 - 6/81	4/15/83	46,456
Sonoma	1/78 - 6/79	8/21/81	9,935
Stanislaus	4/78 - 6/80	3/5/82	141,579
Sutter	10/75 - 9/78	9/21/79	154,283
Tehama	7/77 - 6/81	3/11/83	9,563
Trinity	4/76 - 6/80	5/21/82	75,053

ATTACHMENT II (con't)

	<u>Audit Period</u>	<u>Date of Audit Report</u>	<u>Amount of Report</u>
Tulare	10/78 - 6/81	1/7/83	248,002
Tuolumne	1/76 - 6/78	5/9/80	57,507
Ventura	7/79 - 6/81	10/22/82	2,112,795
Yolo	1/77 - 6/79	3/21/80	176,472
Yuba	1/77 - 6/80	11/9/81	64,050

COURT CASES

There are several court cases which require extended retention including the following:

<u>CASE</u>		<u>ACL</u>	<u>ACIN</u>
<u>Zapata v. Woods</u>	83-102	80-50	
<u>North Coast Coalition v. Woods</u>		80-64	I-35-81 I-49-80
<u>Welfare Recipients</u>		82-15 81-58	
<u>League v. Woods</u>			
<u>Baker v. Prod</u>		83-14	I-32-83 I-21-83
<u>Wright v. Woods</u>		83-43 78-18	
<u>Green v. Obledo</u>		83-47	I-38-82 I-88-81
<u>Farias v. Woods</u>	83-66	83-50 82-39	I-26-83
<u>Angus v. Woods</u>		83-62 80-73	
<u>Wood v. Woods</u>		83-91	I-134-80 I-26-80
<u>Vaessen v. Woods</u>			I-150-82